IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 6205 of 2005(L)

PETITIONER:

---

1. K.C.SEBASTIAN,FORMER DEPUTY MANAGER,
KERALA STATE DRUGS AND PHARMACEUTICALS LIMITED,
KALAVOOR P.O.,ALAPPUZHA,(NOW RESIDING AT
KOTTARATHUMKUZHI,VAZHICHERY,ALAPPUZHA).

2. L.S.SHENOY,FORMER SENIOR MANAGER,
KERALA STATE DURGS AND PHARMACEUTICALS LIMITED,
KALAVOOR P.O.,ALAPPUZHA,(NOW RESIDING AT
SREERANGAM (E), SANATHANAM WARD,ALAPPUZHA-1.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.K.A.BALAN

RESPONDENTS:

---

1. STATE OF KERALA,REPRESENTED BY THE
PRINCIPAL SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT,SECRETARIAT,
THIRUVANANTHAPURAM.

2. KERALA STATE DRUGS AND PHARMACEUTICALS
LIMITED,KALAVOOR P.O.,ALAPPUZHA,REPRESENTED BY
ITS MANAGING DIRECTOR.

3. THE MANAGING DIRECTOR,
KERALA STATE DRUGS AND PHARMACEUTICALS LIMITED,
KALAVOOR P.O.,ALAPPUZHA.

BY ADV. SRI.P.R.RAMACHANDRA MENON(S.C,K.S.D.P.)
GOVT.PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) No. APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the notice No.KSDP/EDA/66/03 dated 14-10-2003 of the Managing Director, KSDP

Ext.P2: True copy of the conditions of V.R.S. published along with Ext.P1

Ext.P3: True copy of the letter No.KSDP/EDA/66/154/2004 dated 30-9-2004 of the 3rd respondent

Ext.P4: True copy of the statement of V.R.S benefits dated 19-11-2004 of the 1st petitioner

Ext.P5: True copy of the letter No.KSDP/EDA/66/111/2004 dated 30-9-2004 of the Managing Director, KSDP

Ext.P6: True copy of the statement of VRS benefits dated 19-11-2004 of the 2nd petitioner.

Ext.P7: True copy of the representation submitted by the 1st petitioner before the 3rd respondent dated 16-8-2001

Ext.P8: True copy of the representation submitted by the 1st petitioner before the 3rd respondent dated 29-12-2004

Ext.P9: True copy of the representation submitted by the 2nd petitioner before the 3rd respondent dated 27-5-2002

Ext.P10: True copy of the representation submitted by the 2nd petitioner before the 3rd respondent dated 3-1-2005

//True copy//

es

THOTTATHIL B. RADHAKRISHNAN, J.

= =

WP(C).No.6205 OF 2005-L

= =

Dated this the 10th day of April, 2007.

JUDGMENT

Petitioners availed the Voluntary Retirement Scheme from the service of the Kerala State Drugs and Pharmaceuticals Limited with effect from 30-8-2004. According to them, they became eligible for higher scales of pay with effect from 1-8-1996 and 1-1-1998 respectively. Their complaint is that they were not given the benefit of the said higher scales of pay, as a consequence of which, they suffered heavy loss towards the VRS benefits. They also claim that they were not paid salary and allowances for the period they worked between October 2003 and September 2004. Their repeated representations seeking reliefs are allegedly still pending with the hands of the respondents.

2. It is pointed out that a learned single Judge considering the question of the legality of fixation of cut-off date, delivered judgment dated 25-1-2007 in WP(C). No.7415/2005 & connected cases, repelling the said challenge, however issuing directions in relation to all the relevant matters regarding release of benefits.

Having regard to the aforesaid judgment, this writ petition is disposed of directing that the competent among the respondents will take up Exts.P8 and P10 representations and take final decision thereon, as regards the claims raised by the petitioners in the light of the judgment dated 25-1-2007 in WP (C).No.7415/2005 and connected cases. Let this be done within an outer limit of three months from the date of receipt of a certified copy of this judgment. Petitioners will also place a self attested copy of the judgment dated 7-1-2007 before the appropriate authority for further action as directed above.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-